IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3821 OF 2007

Mafatlal Dayashankar Dave.... Applicant

versus

The State of Maharashtra and anr..... Respondent.

V.N.Golwala & Co. for the applicant.

CORAM; A.P. DESHPANDE, J.
DATED; 12TH DECEMBER, 2007

P.C.;

1. The learned counsel for the applicant seeks permission to withdraw the application with liberty to file a revision before the Sessions Court under section 397 of Cr.P.C. in view of the judgment in V.K.Jain's case. Permission granted. Allowed to be withdrawn with liberty as prayed for.

2. The learned counsel for the applicant submits that the time spent in prosecuting this application before this court need to be excluded while computing the limitation for filing of revision. It is obvious that if an appropriate application is made, the time spent by the applicant bonafidely litigating before a wrong forum would be excluded for the purpose of counting the limitation. The learned counsel submits that he

would be filing revision within one week and urges to continue the ad-interim order for one week. Hence ad-interim order to continue for one week from today.

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